

House Education Committee

Amendment No. 1 to HB1921

**Winningham
Signature of Sponsor**

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Time _____

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AMEND Senate Bill No. 1881

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by deleting all language following the caption and substituting instead the following:

WHEREAS, it is the intent of the General Assembly to ensure that all Tennessee children will be able to read proficiently by the end of the third grade and will continue to develop reading and writing proficiency throughout their school experience; and

WHEREAS, it is the intent of the General Assembly to further the above goal by pursuing the following:

- (1) Establish statewide expertise in teaching reading and writing;
- (2) Support a balanced reading program that includes the teaching of phonemic awareness, systematic phonics, vocabulary and background knowledge, fluency, reading comprehension, motivation, and reading to learn;
- (3) Provide a high quality professional development system to support every teacher;
- (4) Provide tools and materials to enable teachers to monitor the progress of individual students, analyze student needs, identify students who are not making adequate progress, and use appropriate intervention strategies;
- (5) Support at least one teacher in every school with students in grades kindergarten through eight to serve as a reading coach to assist other teachers in teaching reading and writing; and
- (6) Encourage parents to play an integral role in supporting their children in learning to read and write; and

WHEREAS, the General Assembly desires to improve upon the community-based early childhood education pilot programs authorized by the General Assembly

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and administered and monitored by the Tennessee Department of Education in order to continue to provide children with the skills necessary for success in the regular public school curriculum; now, therefore;

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 9 is amended by adding the following as a new section:

Section 49-1-909. The Tennessee Reading Initiative.

(a) In order to implement the reading initiative, the state board of education, commissioner of education, and local education agencies shall do the following:

(1) Prior to the beginning of the school year 2001-02, the commissioner shall recommend a list of reading diagnostics and methods to be adopted by the state board of education for use in grades kindergarten (K) through five (5). The local education agency shall use the recommended reading diagnostics and methods to assess the individual reading development of all children, identify students who are having reading difficulties, and analyze the information to provide appropriate interventions and instruction for all students.

(2) Prior to the beginning of the school year 2002-03, the commissioner shall recommend a list of reading diagnostics and methods to be adopted by the state board of education for use in grades six (6)

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through eight (8). The local education agency shall use the recommended reading diagnostics and methods to assess the individual reading development of all children, identify students who are having reading difficulties, and analyze the information to provide appropriate interventions and instruction for all students.

(3) Local education agencies may adopt lists of additional reading diagnostics and methods, subject to approval by the commissioner of education, for use in addition to those adopted by the state board of education. Such additional reading diagnostics and methods shall be based on research regarding reading and writing development.

(4) The commissioner of education shall recommend and approve reading diagnostics that provide for assessing the reading and writing development of all students including those who are eligible for English language learner programs and students eligible for special education.

(5) The commissioner of education shall develop guidelines for implementing the reading initiative and recommend to the state board of education for approval policies regarding the responsibilities and selection criteria of reading coaches who shall receive compensation for their services.

(b) The commissioner of education shall develop guidelines for local education agencies to use in:

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(1) Administering reading diagnostics to analyze student reading and writing development;

(2) Training educators in the use and application of developmentally appropriate reading diagnostics and methods;

(3) Providing support to use the results of the reading diagnostics to develop instructional programming for all students, including students who are eligible for English language learner programs and students eligible for special education;

(4) Designing intensive and targeted intervention programs for students who are identified as having reading difficulties; and

(5) Reporting results of the reading instructional program.

(c) Each local education agency shall use, at grades kindergarten (K) through five (5), reading diagnostics and methods adopted by the state board of education or the local education agency beginning in the 2001-02 school year. Each local education agency shall use, at grades six (6) through eight (8), reading diagnostics and methods adopted by the state board of education or the local education agency beginning in the 2002-03 school year. The local education agency shall administer and use the reading diagnostics and methods in accordance with the guidelines promulgated by the commissioner of education under subsection (b).

(d) Subject to the guidelines issued by the commissioner under subsection (b), the director of each local education agency shall:

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(1) Report annually to the commissioner of education the results of the reading development of all students as described in subsection (c).

(2) Report to the local board of education at the beginning of the school year the number of students identified as less than proficient; and report at the end of the school year the results of individual reading development of all students.

(3) Ensure that school improvement plans reflect the needs identified in the reports to the local board of education.

(4) Ensure that the school reports, in writing, to the student's parent or guardian the student's progress in reading and writing. At the beginning of the school year, the director shall notify the parent or guardian of each student who is determined, on the basis of reading diagnostic results, to be at risk for reading difficulties and shall provide an intervention program. The director shall make a good faith effort to ensure that the notice provided to parents is clear and easy to understand, with special attention to parents with limited English proficiency.

SECTION 2. Tennessee Code Annotated, Section 49-6-101 is amended by deleting subsection (c)(1) in its entirety and by adding the following new subsection:

(c)(1) Schools for preschool children organized as public schools or as public school classes under the provisions of parts 1 and 2 of this chapter shall be maintained and supported from state, local and federal funds which hereafter

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may be appropriated specifically for preschool purposes, or from such gifts, donations or grants as may be received for preschool purposes.

SECTION 3. Tennessee Code Annotated, Section 49-6-101 is amended by deleting subsection (c)(2) in its entirety and by adding the following new subsection:

(c)(2) State funds generated through the Basic Education Program (BEP) formula and local matching funds may be used for preschool purposes.

SECTION 4. Tennessee Code Annotated, Section 49-6-101(c)(3) is amended by deleting the words, "the average daily attendance" and inserting the words, "the average daily membership."

SECTION 5. Tennessee Code Annotated, Section 49-6-101(f) is amended by deleting subsections (1) – (4) and substituting the following:

(f)(1) The Tennessee department of education will develop community-based early childhood education programs for three (3) and four (4) year old children through a system of competitive grants. The early childhood education programs may be directed by local education agencies or not-for-profit agencies, which have experience with early childhood education and meet the rules, regulations and guidelines for early childhood education as adopted by the state board of education. Any not-for-profit agency receiving funds for delivery of the early childhood education program must have established a partnership agreement with the local education agency serving the service area of the not-for-profit agency.

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(2) The development of the early childhood education programs will be phased in over a period of five (5) years. At the end of the five (5) year period, programs will be available to all four (4) year old children on a volunteer basis.

(3) At the end of the five (5) year period, the funding for the community-based early childhood education programs will be distributed through the Basic Education Program (BEP) to the local education agencies in accordance with the BEP review process. Basic Education Program preschool funding will be based on the average daily membership of all four (4) year old students participating in programs administered by local education agencies and in community-based early childhood education programs funded through the early childhood education program administered by the Tennessee department of education and within the geographic service area of the local education agency. The local education agency will establish a collaborative agreement and contract for the purposes of funding and monitoring any community-based early childhood education program, administered by a not-for-profit agency within the geographic service area of the local education agency and developed by the Tennessee department of education.

(4) The enrollment eligibility of four (4) year old children will be limited in the first phases of the early childhood education program. In phase one (1), enrollment will be limited to those most educationally "at-risk". Four (4) year old children should be screened by a universally accepted developmental screen to be approved by the Tennessee department of education. In each local education

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agency, the four (4) year old population within the service area of those schools indicated by the accountability system to have a high percentage of students with low reading scores should be targeted for screening and enrollment. The four (4) year old children with the lowest scores on the developmental screen and living within the service areas of the schools with high percentages of students with low reading scores on tests, as determined by the Tennessee department of education, will have priority in enrollment. In phases two (2) and three (3), the enrollment eligibility will be broadened to focus on those children with the lowest developmental scores within school service areas of decreasing percentages of students with low reading scores as indicated by the accountability system. In phases four (4) and five (5), enrollment must be open to all four (4) year old children wishing to participate in a early childhood education program in all local education agencies; however, assurances must be made to encourage enrollment of all four (4) year old children educationally "at-risk".

(5) All early childhood education programs established under this subsection shall be developed through a collaborative effort of the departments of education, health, children's services, and human services, and shall build upon resources and services within the community.

(6) All programs developed under this act must provide:

(A) A developmentally appropriate educational program which provides skill development in all realms – physical, cognitive, social and emotional -- through hands-on activities, for a minimum of five and one-

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half (5½) hours per day for a minimum of one hundred eighty (180) days annually;

(B) Program environment and components in compliance with the child care standards of Tennessee department of education or department of human services, as applicable;

(C) A licensed teacher with certification in early childhood education;

(D) An assistant with a minimum of a Child Development Associate (CDA) certificate;

(E) A maximum class size of twenty (20);

(F) An adult:child ratio of 1:10;

(G) A process to determine the progress of the child for purposes of accountability;

(H) A plan for active parental responsibility in the preschool program, including provisions for parent education when appropriate;

(I) A transportation plan; and

(J) Free breakfast and lunch for eligible children.

(7) It is the legislative intent that this subsection be implemented only to the extent that state funding is available for such purpose.

SECTION 6. Tennessee Code Annotated, Section 49-2-115(e) is amended by adding the following new subsections:

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(4) Family resource centers shall serve the function of informing parents about the need for appropriate educational activities and experiences to develop readiness skills in early childhood.

(5) Family resource centers shall assist in identifying "educationally at-risk" children for purposes of participation in early childhood education programs as defined in Section 49-6-101(f).

(6) Family resource centers shall assist families in fulfilling their responsibility to be an active partner in their child's education, pre-kindergarten through grade twelve (12).

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 6, Part 12 is amended by adding the following as a new section:

Section 49-6-1207. Individual Intervention Grants.

(a) The state department of education shall establish an individual intervention grant program to provide funds to local education agencies to carry out Individual Intervention Plans (IIPs) for seventh and eighth grade students at risk of failing high school gateway graduation tests.

(b) IIPs shall be developed for individual students based on evidence from TCAP scores and other data, as determined by the department of education, that students lack the pre-requisite skills basic to success in subjects tested for high school graduation.

(c) Each IIP shall be developed by the local school in conjunction with the student and parent(s) or guardian(s) of that student and shall

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include the responsibilities of the student, the parent or guardian, and the school.

(d) The state board of education shall develop guidelines for identification and a model IIP to be used by local schools.

(e) This section shall in no way be construed to supplant the requirement of an Individual Education Plan (IEP) for identified special education students. The IEP shall serve as the IIP for such students with no further responsibility under this section by the local education agency.

(f) Grants provided for in this section shall be distributed as follows upon application by the local education agency, subject to appropriation:

(1) Funding would be available to the local education agency in proportion to the numbers of students identified and plans developed.

(2) State funding would also be subject to submission by the local education agency to the state department of education of a proposed plan of expenditures to accomplish the provisions specified in this section, including evidence that existing resources are insufficient to meet stated needs, and approval of that plan by the commissioner of education. The department should not reasonably withhold funding, but should allow local education

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agencies adequate flexibility to experiment so long as basic requirements of this section are satisfied.

(3) Any funds appropriated for this program in any fiscal year and not expended shall be carried forward for such purposes in future fiscal years. Any allocation for a local education agency which is not applied for or is not successfully applied for or remains unexpended shall not be carried forward for the benefit of that local education agency in subsequent fiscal years, but shall be carried forward for future expenditures under this program in future fiscal years.

SECTION 8. Tennessee Code Annotated, Title 49, Chapter 4, is amended by adding the following sections as a new part 9:

Section 49-4-901. This part shall be known and may be cited as the "Teaching Scholars Award of Excellence Program."

Section 49-4-902. The Tennessee student assistance corporation shall administer a teaching scholars award of excellence program for exemplary students who desire to enter the teaching force in Tennessee. Participation in this program is limited to college juniors, seniors, and post baccalaureate candidates admitted to teacher education programs in Tennessee and who pledge to teach in Tennessee public schools for up to six (6) years.

Section 49-4-903. The Tennessee student assistance corporation, in conjunction with the state board of education and the Tennessee higher

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education commission, is authorized to promulgate rules and regulations for the management of the program and the selection of recipients, taking into consideration such factors as academic record of the applicant, teacher shortage in subject areas and the balance of majority/minority representation in the teaching force. The Tennessee student assistance corporation shall provide the department of education with rosters of program participants completing teacher education programs and their areas of teaching endorsements. The department shall use these rosters for assisting in job placement and in considering waiver requests from local education agencies.

Section 49-4-904. Each program award may be up to the amount of tuition, fees, books, room and board charged at a public institution of higher education in Tennessee. Each program award shall be renewable up to two (2) times, contingent upon satisfactory academic performance. Persons receiving program awards who become public school teachers in Tennessee shall receive forgiveness of the program award balance based on two (2) years' teaching service for each year an award was made, except that if a recipient accepts employment in a geographical shortage area or in a low-performing school system or a system on warning status as defined by the commissioner or board of education, forgiveness shall be based on one and one half (1 ½) years' teaching service for each year an award was made.

Section 49-4-905. All scholarship loans shall be evidenced by notes made payable to the corporation that shall bear an interest rate of nine percent

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(9%) per year beginning September 1 after completion of the program, or immediately after termination of the scholarship loan, whichever is earlier. This scholarship loan may be terminated by the recipient withdrawing from school or by the recipient not meeting the standards set by the corporation.

Section 49-4-906. All funds appropriated to or otherwise received by the teaching scholars award of excellence for scholarships, all funds received as repayment of scholarship loans, and all interest earned on these funds shall be placed in a revolving fund. This revolving fund shall be used for scholarship loans granted under this program.

SECTION 9. Tennessee Code Annotated, Title 49, Chapter 5, Part 52 is amended by adding the following as a new section:

Section 49-5-5251. Second Career.

(a) To prepare professional individuals with expertise in teaching areas of critical shortage to teach in Tennessee schools, a program for teaching as a second career is hereby established.

(b) The commissioner of education shall implement a teaching as a second career program on the basis of competitive grants to institutions of higher education in partnership with local education agencies.

(c) Local education agencies shall nominate individuals to participate in the programs. The programs shall carefully screen candidates that the local education agencies have identified for employment in teaching shortage areas. Applicants must have expertise

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in and be willing to teach in areas of teacher shortage, as identified by the state board of education.

(d) The state board of education shall establish guidelines for the program that include a summer pre-service program, ongoing study and support during the first year of teaching and successful completion of passing scores on appropriate teacher examinations. If the individual receives a positive evaluation following the first year of teaching, the individual shall be issued an apprentice license.

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 5, Part 56 is amended by adding the following as a new section:

Section 49-5-5610. Mentoring.

(a) To improve new teacher performance, reduce new teacher attrition, and improve student learning, a beginning teacher mentoring program is hereby established. In the year 2001-02, trained mentors will provide support during the first year of teaching to one-half of all teachers with no prior teaching experience. In the year 2002-03 and thereafter, trained mentors will provide support during the first year of teaching to all teachers with no prior teaching experience.

(b) The state board of education shall establish criteria for selection of mentors including evidence of successful teaching and attention to the new teacher's area of specialization.

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(c) Mentors shall receive training and shall have a defined set of job responsibilities beyond their regular teaching duties for which they shall be paid a salary supplement.

(d) The commissioner of education shall evaluate the effectiveness of the program in reducing the turnover rate of beginning teachers as compared to previous years and report the results of the evaluation to the state board of education.

SECTION 11. Tennessee Code Annotated, Section 49-5-5609 is amended in the second sentence by deleting the words, "twenty-five (25) teachers" and replacing it with the words "one hundred (100) teachers per year."

SECTION 12. Tennessee Code Annotated Section 49-5-5609 is amended by deleting the third sentence and substituting the following:

Teachers who seek to undergo evaluation by the National Board for Professional Teaching Standards shall make application to the commissioner of education for sponsorship of the evaluation fee. The state board of education shall establish the criteria for nominating and selecting candidates who are eligible for the fee.

SECTION 13. Tennessee Code Annotated, Section 49-5-5609 is further amended by designating the present section to be subsection (a) and by adding the following new subsections::

(b) Each teacher who has attained national certification under the requirements of this statute shall be paid twenty-five hundred dollars (\$2,500) per

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year, provided that the teacher is employed as a full-time classroom teacher in a public preschool, elementary, or secondary school within Tennessee and provided that the teacher has a valid Tennessee teaching license and a valid certification by the National Board of Teaching Standards.

(c) In any year, implementation of the provisions of this section shall be contingent on and subject to the funding provided for such purpose within the general appropriations act.

SECTION 14.

(a) There is created a task force to gather and identify through public hearing and testimony from the citizens of Tennessee the concerns, needs and adequacy of education in Tennessee, including but not limited to, the reading skills being taught within the public schools of our state and the status and needs of early childhood education in Tennessee.

(b) The task force shall be composed of twelve (12) members of the general assembly with six (6) members being appointed from the house of representatives by the speaker of the house and six (6) members being appointed from the senate by the speaker of the senate. The first meeting shall be called by the member with the most years of consecutive service within the general assembly.

(c) The task force is urged to hold public hearings in each of the grand divisions of Tennessee and to invite all members of the education community and all persons interested in public education to give testimony and input.

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(d) The task force shall receive staff support and/or assistance from the house research division, the office of legal services, the office of legislative budget analysis, the comptroller's office of education accountability, the state board of education, the department of education, the Tennessee higher education commission and any other state agency so requested by the chair.

(e) The task force shall complete its study and file its final report, including any recommendations for necessary legislative action, by January 1, 2002. Such report shall be filed with the chief clerk of each house, the speaker of the house of representatives, the speaker of the senate, the chair of the education committee of the house of representatives and the chair of the education committee of the senate. Upon the filing of such report, the task force shall cease to exist.

SECTION 15. Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act. No provision of this act shall be considered an entitlement to any service or program authorized by this act unless funds are appropriated for such purpose.

SECTION 16. By February 1, 2002, the comptroller of the treasury shall conduct an evaluation of family resource centers including, but not limited to, staffing, funding, location, programming, and effectiveness in accomplishing their intended purposes.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.